

Joseph Kraft

Reagan's Luck

The honeymoon is over, but the luck lingers on. That is the short judgment on the Reagan administration in this corner as the first half of the political year closes with the congressional recess for July 4. As for the future, since the Reagan luck comes partly by design, the outlook remains fair.

Congressional Democrats flash one sign that Reagan is no longer immune from telling attack. They caved in completely after a brief fight on the budget resolution six weeks ago. They have been using guerrilla tactics to fight a war of attrition on particular spending cuts in the president's tax program. No one can even be certain that there will be a tax cut this year.

The attitude of the news media is even more revealing. It can hardly come as a surprise that Reagan is not exactly on a first-name basis with the Non-proliferation Treaty. Nor that he is less than Clausewitz when it comes to distinguishing between offensive and defensive weapons. But the ignorance shown by the president at his news conference on June 16 on those matters and some other foreign business drew down on his head a Niagara of editorial scorn. Not that Reagan had changed. What has changed is the tone of the press and television.

Luck asserts itself principally in economic matters. The dollar is up, oil prices are down and food prices are holding relatively steady. So the Consumer Price Index has dipped below 10 percent.

Nobody can seriously claim the Reagan administration made any of these things happen. But the president has focused political attention in the right way. He has set the stage to highlight events that turned to his advantage.

Thus from the very beginning of his presidency, he concentrated on the domestic economy as his primary concern. Since then he has relentlessly pushed his program for cutting down government spending and making tax cuts. The president, in other words, has selected winning issues. He has been in the right place when the sun started to shine.

Simultaneously, he has shown high skill in moving when clouds started to gather. He slithered away from two dates—first Jan. 1 and then July 1—originally designated as the start-up time for the tax cut. The result is a healthy cut in the deficit projected for 1982, with some attendant benefits on inflationary expectations.

A suggestion for cutting Social Security looked bad when the White House originally surfaced it. But the proposal was quickly withdrawn. Now, in order to save the Social Security system, the Democrats are stuck with having to take steps that are bound to be unpopular.

Foreign policy provides abundant instances of artful dodging. As soon as the emphasis on Communist subversion in El Salvador proved exaggerated, the White House turned down the rhetoric. It abandoned Ernest Lefever immediately after a Senate committee vote made it plain he could be confirmed as assistant secretary of state for human rights only through a long, bruising fight. It backed away from the new government of Francois Mitterrand hours after the French president included Communist ministers in the cabinet.

To a degree, at least, Reagan has ducked foreign policy entirely. He has been able to charm his way through meetings with other heads of state. Expectations abroad are so low that it is enough for the president to show that—as Chancellor Helmut Schmidt once exclaimed—"he is not a cowboy."

Crucial decisions on such matters as arms control and the Mideast have been subordinated to the overwhelming importance of domestic economics. The White House, as an aide to Secretary of State Haig put it, was "under the table" when it came to condemning at the United Nations the recent Israeli raid on Iraq.

It would take a catastrophe—something like a Soviet invasion of Poland, or a new breakout of war in the Middle East—for the Reagan administration to begin hurting on foreign policy. Even then, the president might scuttle away by dumping blame on subordinates.

For unlike some of his recent predecessors, Reagan does not fall in love with losing causes. He has too much common sense, too much humor, too much concern for his standing with the voters. He will not, like Gerry Ford, make a big deal about an Angola. He will not, like Jimmy Carter, do battle for the likes of a Bert Lance.

If real trouble did come, Heaven would have to help the United States. For only true believers can entertain great expectations of the Reagan administration. Still, it should be able to reduce federal spending slightly and to revive confidence in the country as a whole. That is, if the luck holds.

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Jack Anderson

A Nuclear Pact of Lies

In the continuing uproar over Israel's pre-emptive air strike against the Iraqi nuclear plant, Israel's critics—including some in the Reagan administration—have made much of the fact that Iraq is a signatory to the Nuclear Non-proliferation Treaty. The implication is that its Osirak facility could not have been intended for military use.

What this argument conveniently overlooks is that the Non-proliferation Treaty is toothless. Far from putting a damper on the proliferation of nuclear weapons, the treaty has served as a cover under which any non-nuclear nation can obtain the materials and technological equipment it needs to build a bomb. In short, the treaty has encouraged the spread of nuclear technology.

The treaty's provisions require signatory nations that have the know-how to sell nuclear tools on demand to any other nation that has signed the treaty and has pledged not to build a bomb.

Richard Bolling and John E. Barriere

Budget-Making Gone Awry

Rep. Bolling, a Democrat from Missouri, and Mr. Barriere, a member of the Rules Committee staff, both worked on the original 1974 Congressional Budget Act. Here they express their concern about the ways in which that legislation is now being used.

In contrast to all previous efforts, the Congressional Budget Act of 1974 was an outstanding piece of consensus legislation. Struggle and maneuver over philosophy and turf alike were present; it could not be otherwise. But the head-on donnybrooks that had characterized previous redistribution of power over the way in which money was to be spent were absent.

The manner in which Congress had previously processed the budget had guaranteed conflict and irresponsibility. The Ways and Means Committee was charged with raising revenue, the Appropriations Committee, in theory at least, with spending. Taxes could be cut and spending raised independently. Any adverse effect resulting from the action of one could be blamed on the other. With the growth of backdoor financing, the Appropriations Committee lacked authority over a significant portion of spending. In addition, it seldom functioned as a committee. Rather, decisions were made at the subcommittee level, thus further contributing to fiscal chaos. Finally, budget authority, not outlays, was what was reported from the Appropriations Committee. Periodic onslaughts slashing appropriations bills always failed to result in a comparable reduction in outlays.

The objective of the 1974 Budget Act was not to implement a particular fiscal policy, e.g., a balanced budget. It was to force Congress to be responsible. Should economic and political factors dictate more or less revenue or more or less spending, Congress was to be free to adopt the desired policy. The budget process could reduce federal spending, as spending ceilings had never done, were this policy desired. It was not, however, automatic.

Congress is a political institution. It will not permit its constitutional mandate to provide for the general welfare and common defense to be thwarted by any process. If Congress must choose between responding to an overwhelming demand for action and a rigid budget process, that budget process will be junked or subverted. Failure to recognize this would have been folly.

From 1974 to 1980, the budget process performed substantially as its authors had contemplated. Its achievements were significant. It forced Congress to look not only at the budget, but also at the economy in its entirety. However, this was secondary. Of vital importance was the fact that the process had survived. This survival was not dependent on any particular political climate. It was viewed as neutral.

This year the budget process is unfortunately becoming ever more closely identified with the immediate legislative objective of political conservatism. Inevitably, we fear—should there be a change in the nation's political climate dictating a change in policy—the budget process will suffer. A budget process that has become identified as inimical to progressive objectives, and as a part of the conservative credo, will suffer from the political rejection of conservatism.

1980 saw the first break with the intent of the legislation. The reconciliation process was used in connection with the First, rather than, as had been intended, the Second Budget Resolution. The political if not the economic climate, it was felt, called for a balanced budget in the First Budget Resolution.

This year the Budget Resolution, as modified on the House floor by the Gramm-Latta amendment,

By Summers for the Dayton Journal-Herald

David S. Broder

Democrats on Ice?

Of all the questions overhanging politics in this summer of 1981, the most intriguing—and the one with most long-term importance—is the possibility that we are witnessing a major realignment that will make the Republican Party the new majority party in America and consign the Democrats to a minority of quarreling factions.

Part of the fascination is that the answer is unknown. Everyone agrees that it will take at least one more election and perhaps two before we can judge the permanence of the current Republican surge. The debate will be open at least until November 1982 and perhaps for two years more.

But in the past week, two careful students of these affairs—Republican pollster Richard Wirthlin and Democratic consultant Horace W. Busby—have offered fresh evidence and judgments supporting the realignment theory.

Wirthlin, who polled for Reagan in the 1980 campaign and does monthly surveys now for the Republican National Committee, has been very cautious about embracing the realignment view. But in an interview in which he made public the details of his most recent data, Wirthlin said that while "political attitudes are still volatile . . . if the presi-

dent's party delivers, we can expect a lot of these former Democrats and Independents to stay with the Republican Party a long time."

At the same time, Busby, a White House aide to Lyndon B. Johnson, informed his business clients that the splits now showing between Sun Belt and Industrial/Labor state Democrats in Congress have the potential for dynamiting the Democratic Party in 1984. As he put it, "The Democratic Party cannot make it through the presidential election year without facing its internal liberal-conservative division."

Busby raised what has to be a nightmare possibility for the Democrats: a split so severe that it might produce rival Democratic conventions in 1984.

"The Sun Belt conservatives [among congressional Democrats] by and large do not believe that GOP candidates can defeat them, but they can be defeated by their own party's posture and performance nationally," he said. "Hence, if in 1984 the Democratic platform and ticket affront the party's conservatives, the stage would be set for a second Democratic convention to field an alternative national ticket. Following past precedents, such a Conservative Democratic Party might nominate—who else?—Mr. Reagan."

Then, when the new member of the nuclear "club" has attained the capability to produce peaceful nuclear energy—and decides it wants to expand into military production—all it needs to do is give 90 days' notice and withdraw from the treaty. It can then use the technology it obtained under the treaty to make nuclear weapons without any hindrance from the treaty organization.

But even while a nation is still bound by the treaty, and thus is supposedly being restrained from developing a nuclear arsenal, there is a crucial loophole: the highly publicized international "inspections" cover only the technological equipment and material imported under the treaty, not any development the signatory nation may be doing on its own.

Iraq is the perfect example of what's wrong with the treaty. On the face of it, the idea that a country wallowing in oil would spend hundreds of millions of dol-

lars to develop nuclear energy is absurd. The Iraqis, of course, haven't said that their reactors were supposed to produce electricity; they were to be merely "research" facilities. But if they weren't to be power plants—which Iraq doesn't need—and they weren't for weapons production, what on earth were the reactors intended to be? Toys?

Yet despite this absurdity, Iraq is a member in good standing of the non-proliferation community.

Israel, on the other hand, never signed the Non-proliferation Treaty. To the defenders of the treaty, this circumstance tends to make the Israelis the bad guys and the Iraqis the innocent victims.

This, of course, is nonsense. One may disagree with the necessity, the wisdom and the politically suspicious timing of the Israeli raid on Iraq, but there is no way Iraq can play a convincing role of well-meaning innocence.

Iraq used its position as a major oil

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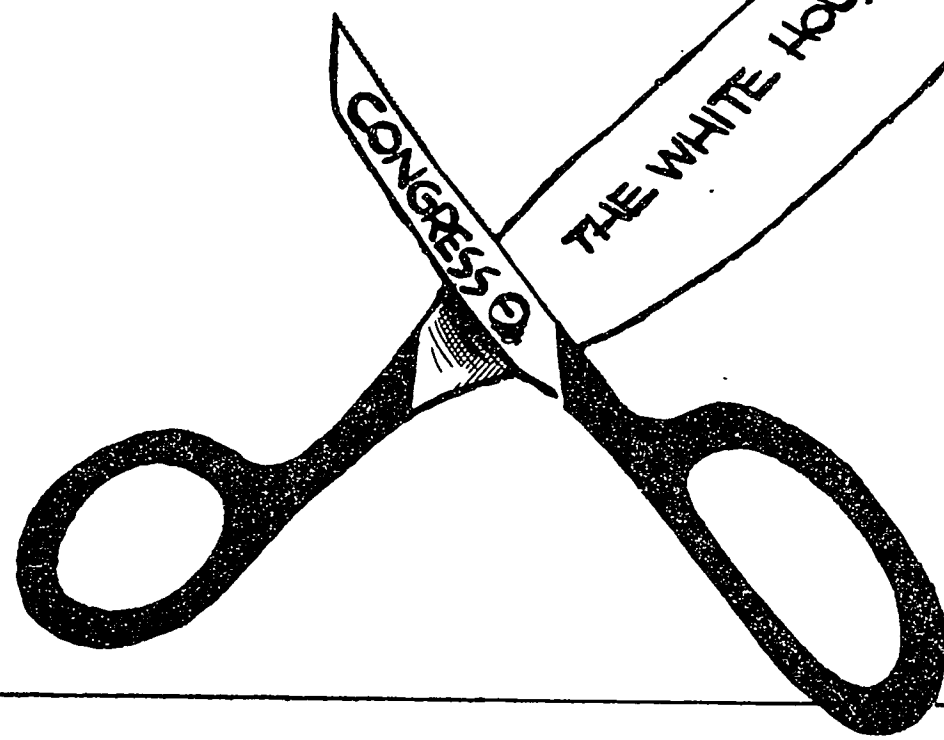
compelled to give their automatic approval to a legislative program merely because they are in accord with its philosophical objectives. That, in essence, was the great deficiency—yes, tragedy—in the relationship between Lyndon Johnson and Congress as regards Great Society programs.

President Reagan and the Republican congressional leadership are ready to carry this unwise method of operation further. Why, this reasoning goes, invest all of the time and effort in the often admittedly slow and painfully deliberative process of considering, weighing, modifying and compromising specific legislative proposals? It would be much easier to attach them to the reconciliation bill. That the extension, termination or initiation of a program may have no relationship to the purpose of a reconciliation measure makes no difference. It is most seductive indeed.

Authoritarianism is always seductive. There are those of us who remember still another time when, as now, supposedly "respectable" authoritarianism was seriously considered in high quarters. Leaders in business and the military and certain intellectuals then, as now, proved susceptible to its virus. Those in Congress, without regard to political philosophy, who would permit its role as a legislature to atrophy would be well advised to reconsider. If Congress is to be reduced to automatons permitted only to ratify a presidential legislative agenda that has been premeditated by an all-powerful executive, the American people, with some justice, may very well ask: Why should we support this expensive anachronism?

Even if the administration does moderate its pressure or is successfully resisted, its blind commitment to this truly revolutionary rather than evolutionary process will likely shake the fragile balance of our country's system of self-government.

What we have seen played out in connection with the reconciliation bill is all too symptomatic of serious cancer in the American political process. The primary duty of members of Congress is legislating. Congress is a co-equal branch of the government. Political parties, it is true, were devised to bridge the gap between the executive and the legislative. And a Democratic Congress in general will share the same political values as a Democratic president, as their Republican colleagues will share those of a president of their party. But party members should not feel



That will sound farfetched. But Wirthlin's figures—of which Busby was unaware when he wrote—at least take it out of the realm of fantasy. Wirthlin, along with other private and public opinion-takers, has been picking up a significant surge in the number of voters who identify themselves as Republicans. If you count the leaners in his mid-May poll, the Republicans had virtually erased their historic disadvantage and drawn even with the Democrats.

An NBC-AP poll taken at the same time had almost identical results. Other polls—including those of the Gallup organization, CBS-New York Times and ABC-Washington Post—still find the Democrats in front. But what is interesting is the source of those Republican gains that everyone finds are coming.

They are coming among men more than women; from union families more than non-union; from middle-income groups (\$15,000 to \$40,000) more than those at either extreme of the income scale; from high school and college graduates more than those at the bottom or very top (graduate degrees) of the education ladder. They are coming, in short, in what has to be the heart of any majority party coalition these days.

The age picture is very interesting. Ac-

cording to Wirthlin, the biggest Republican gains are coming among young people in that baby-boom generation under 35; the gains scale downward as the age curve ascends. But if you look at the Democratic side of the picture, you see a reverse image: the heaviest losses are among the older voters, the lightest among the young.

The explanation, Wirthlin thinks, is that those older voters cast their first ballots in the Depression; Democratic Party loyalties keep them from going all the way to the GOP in one jump; so their move has been into the Independent column, while younger voters, who started as Independents, are moving to the GOP.

Thus, the picture that emerges is of a rolling realignment—a glacier that is uprooting the lightly attached younger voters more easily than it is the older voters with their deeper Democratic roots. But the glacier is moving in the Republican direction. Of all the subgroups Wirthlin examined, only one was more Democratic in its identification in May 1981 than in June 1980: the blacks.

These findings and Busby's somewhat parallel observations are more speculative than definitive at this point. But the speculation is enough to suggest that this may be an era of historic political change.

The Iraqis next moved to stockpile uranium. They found a willing supplier in Portugal, which got 40 percent of its oil from Iraq. Officials charged with enforcing the Non-proliferation Treaty never raised the question of why a country with no nuclear reactors needed to stockpile uranium. The reason is that it was officially none of their business. The treaty sets no limit on the amount of uranium a signatory nation can buy.

Through all these years of Iraq's persistent acquisition of nuclear capability, sources told my associates Lucette Lagnado and Howard Rosenberg, the United States tried to persuade supplier nations not to help the Iraqis. Intelligence agencies have warned repeatedly that Iraq was aiming for military nuclear capability. And despite lip-service to the Non-proliferation Treaty, neither the White House nor Congress puts much faith in its effectiveness.

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George F. Will

Noise And Other Nuisances

Treachery most foul killed Hamlet last week at the intersection of Wisconsin and Western avenues, where the District of Columbia meets Maryland in a roar of commerce, construction and traffic. I could not hear the horns honking and gears grinding, or the colorful characterizations of some drivers by other drivers. I was wearing my Walkman, a tiny stereo tape recorder with earphones, and I was listening to the movie sound track of Laurence Olivier's "Hamlet."

Some sociologists and other cranks are quite cross about the popularity of Walkman. They say the device is "isolating" and prevents people from "relating." I say: Yes, and isn't that great?

Leaving aside the fact that a walk with Bach is bliss, who wants to "relate" to strangers in the street or seated next to one on airlines? Who does not want to be isolated from the blather and screech of metropolitan life? Walkman is the civilized answer to something that should be illegal—those 20-pound stereo "boxes" carried by young men with strong backs and bad manners, "boxes" that pummel the ears of anyone within 50 yards.

And speaking of intrusive nuisances, consider the Supreme Court case involving the Krishna sect, those zealots who infest airports and other public places.

The Minnesota State Fair requires that the sale or distribution of merchandise, including printed material, be done from particular fairground locations assigned on a non-discriminatory basis. The International Society for Krishna Consciousness, Inc., which is remarkably religious about raising funds by selling its literature, considered the fair's rule an abridgment of First Amendment rights. The Minnesota Supreme Court agreed, and overturned the rule. Then the U.S. Supreme Court overturned the Minnesota court's decision.

Justice White, speaking for the U.S. Supreme Court, said that "inclusion of peripatetic solicitation as part of a church ritual does not entitle church members to solicitation rights in a public forum superior to those of other religious groups that raise money but do not purport to ritualize the process." And White noted that there is nothing new about "time, place and manner" restrictions on public speech.

The court has upheld, for example, restrictions on speech near a school that is in session, speech at a jail and speech with loudspeakers in certain kinds of neighborhoods and at certain times. The court's criteria for constitutionality are that the restrictions must not concern the content of speech, must serve a serious public purpose (in the Minnesota case, crowd control) and must not be broader than necessary for achieving that purpose.

So the Minnesota case was a bit of a bore, including the characteristic hairsplitting by the court's most fanatical fine-tuners of local ordinances. Justices Brennan, Blackmun, Marshall and Stevens—the last a Ford nominee: Ronald Reagan be warned—dissented in part, on the ground that although it is fine for Minnesota's fair to restrict to a particular location the "sale" of literature, it outrages constitutional values to so restrict the "distribution" of literature.

Can the four justices really believe they are showing proper respect for the discretion of local authorities, or for the dignity of the First Amendment, or for their offices, as they magisterially make such fine distinctions about the require-

"The Minnesota case was a bit of a bore, including the hairsplitting by the court's most fanatical fine-tuners of local ordinances."

ments of crowd control at state fairs? The exasperating fastidiousness of the four dissenters is the sort of attitude that encourages, throughout the judicial system, the sort of officiousness practiced by the Minnesota Supreme Court when it struck down the fair's rule. I, for one, shall not be sympathetic about judges' complaints concerning their caseload until judges restrain their officiousness.

Brennan, joined by two others, dissented even while noting that if 5,000 Krishnas—or that many nuisances from any other group—"paid the admission fee, all 5,000 would be permitted to wander throughout the fairground, delivering speeches to whomever they wanted, about whatever they wanted." And if Minnesota tried to protect fairgoers from such aggressive behavior, the court probably would block the state. On the day the 5,000 Krishnas show up, I want to have the concession renting Walkman sets.

The American Civil Liberties Union, and others who make a fetish of the First Amendment, may see the minor regulations authorized in the Minnesota case as the thin end of the wedge of despotism. But constitutional law remains too restrictive of the rights of local jurisdictions to protect people from hectoring and hucksterism. So stride through fairs and airports wearing a Walkman, and listening to readings from the opinions of Chief Justice John Marshall.